IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14526 of 2004

Between:

Sri Sk.K.B. Mohiddin Conductor S/o. Immam Saheb
N.G.Os Colony Podili, Prakasam District.

..... PETITIONER

AND

1 A.P. State Road Transport Corporation Rep., by its Vice-Chairman and Managing Director
Musheerabad, Hyderabad.
2 The Depot Manager, A.P. State Road Transport Corporation, Podili Depot, Podili, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or directions more in the nature of writ of mandamus directing the respondents herein to consider the petitioner explanation dt.20-6-2001 to the final order-cum-show cause notice dated 6.3.2000 and pass appropriate final orders as per law and pass such other order or orders as the Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.GOVINDA RAJULU

Counsel for the Respondents: MR.VENKATESWARLU POSANI,SC FOR APSRTC

The Court at the stage of admission, made the following :

ORAL ORDER

The petitioner is working as Conductor in respondent-Corporation and disciplinary action was initiated against him by issuing a charge-sheet dated 29-12-1999. After conclusion of equiry, the second respondent passed an order on 17-04-2000 imposing punishment on the petitioner and also a show cause notice regarding the treatment of period of suspension as "not on duty". Being aggrieved by the said order, the petitioner filed W.P.No.5210 of 2001 questioning the validity of the said order. This Court through judgment dated 23-03-2001 directed the second respondent to treat the order dated 17-04-2000 as a show cause notice and directed the petitioner to file explanation within two months from the date of receipt of the said order. The second respondent was directed to pass appropriate speaking orders on filing of the explanation of the petitioner. The grievance of the petitioner is that though he submitted his explanation on 20-06-2001 the second respondent did not choose to pass any final order after considering the explanation of the petitioner. The petitioner is, therefore, seeking a direction to the second respondent to pass appropriate orders in the matter after considering his explanation dated 20-06-2001.

In the light of the circumstances explained by the petitioner, the second respondent is directed to pass appropriate speaking orders in the disciplinary proceedings after taking into consideration the explanation of the petitioner dated 20-06-2001 within one month from the date of receipt of a copy of this Order, if the final order is not already passed.

The writ petition is disposed of accordingly. No order as to costs.

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17th AUGUST 2004

*TSNR

TO

1 A.P. State Road Transport Corporation Rep., by its Vice-Chairman and Managing Director
Musheerabad, Hyderabad.
2 The Depot Manager, A.P. State Road Transport Corporation, Podili Depot, Podili, Prakasam District.

3 Two C.D.Copies